TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE Transcriber's Office

May 27, 1997 LB 150

where our prison population will be from this fiscal year to fiscal year 2002. And it takes the actions of this body, done for and on behalf of the people, and overlays their consequence. You cannot change the public policy of the state of Nebraska with regard to minimum sentences by LB 529, in 1993 and not suffer the consequence and make provision. You cannot alter the positive time formula by LB 371, in 1995, and not own up to your responsibility for and on behalf of the people to provide appropriate facilities. You cannot set a tone that makes parole eligibility something which everyone is loathe to touch and hesitant to implement for fear there may be a mistake made not pay the piper, so to speak, in terms of meeting our responsibilities. You can't adopt community-based corrections one day, when you think that sounds like you're progressive, and never ever fund it, and say you've done anything. And if you do the things we've done or fail to do the things we've ...

SENATOR CROSBY: One minute.

SENATOR BRASHEAR: ...failed to do, then you end up with the consequer a, the reality now of discharging our duty. for one, chere are many things Senator Chambers will say in this debate, there are many things that I will agree with, the difference is that Senator Chambers has said on this floor previously he wants the federal courts to take over our prisons because they will do, for people with whom he is concerned, a better job than we will ever do, because we don't want the fiscal responsibility attached. I do not want the federal courts to take over the prisons of the state of Nebraska. I think we ought to fulfill our duty and responsibility and make this system work. And we'll have an opportunity to discuss this throughout the day. I think this is an important debate. Thank vou.

SENATOR CROSBY: Thank you, Senator Brashear. Senator Dwite Pedersen.

SENATOR Dw. PEDERSEN: Thank you, Madam President, members of the Legislature. Well said, Senator Brashear. Again, I want to talk just a little bit about...I'm not sure that my amendment is written the way that we want to put it in the statutes. I'm not a legal mind. But I do have some experience in this field. And